

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

BLACK EMERGENCY RESPONSE TEAM,  
*et al.*,

*Plaintiffs,*

v.

JOHN M. O'CONNOR, *et al.*

*Defendants.*

No. 21-cv-1022-G

**UNOPPOSED MOTION TO EXTEND TIME TO RESPOND TO PLAINTIFFS'**  
**PRELIMINARY INJUNCTION MOTION**

On October 29, 2021, Plaintiffs filed a motion for a preliminary injunction in the present case, where Plaintiffs have challenged the constitutionality of Okla. Stat. tit. 70, § 24-157. Defendants' response to that motion is currently due on November 19, 2021. Defendants<sup>1</sup> request an extension until December 10, 2021, to respond to the pending motion. This is the first request for an extension in this matter. Plaintiffs do not oppose this extension, which is warranted for the following reasons:

*First*, two of Defendants' lead counsels have pre-existing holiday travel plans that put them both out of town in the week leading up to November 19.

*Second*, including their eight affidavits, Plaintiffs' motion is nearly 150 pages total. Even without holiday scheduling difficulties, some additional time to respond to this lengthy filing would be merited.

*Third*, the challenged law took effect on July 1, 2021, meaning that the status quo is not threatened by an extension of time. *See* Okla. Stat. tit. 70, § 24-157. Additionally, no hearings

---

<sup>1</sup> Although all Defendants are not represented by the same counsel, all Defendants join together on this motion.

or deadlines have been set, so an extension will not adversely impact scheduling in this matter.

Again, Plaintiffs have informed Defendants that they do not oppose an extension until December 10, 2021. Thus, Defendants request that this Court extend Defendants' time to respond to the injunction motion until December 10, 2021.

Respectfully submitted,

*s/ Zach West*

---

ANDY N. FERGUSON  
ZACH WEST  
*Assistant Solicitors General*

OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA  
313 N.E. 21st Street  
Oklahoma City, OK 73105  
Direct: (405) 521-3921  
Zach.West@oag.ok.gov

*COUNSEL FOR DEFENDANTS 1-18*

*s/ F. Andrew Fugitt*

---

F. ANDREW FUGITT, OBA #10302  
JUSTIN C. CLIBURN, OBA #32223  
THE CENTER FOR EDUCATION LAW. P.C.  
900 N. BROADWAY AVE, SUITE 300  
OKLAHOMA CITY, OK 73102  
TELEPHONE: (405) 528-2800  
FACSIMILE: (405) 528-5800  
E-MAIL: AFUGITT@CFEL.COM  
E-MAIL: JCLIBURN@CFEL.COM  
ATTORNEYS FOR ANGELA GRUNEWALD,  
JAMIE UNDERWOOD, CYNTHIA BENSON,  
KATHLEEN DUNCAN, LEE ANN KUHLMAN

*s/ M. Daniel Weitman*

---

M. DANIEL WEITMAN, OBA #17412

TINA IKPA, OBA #32193

University of Oklahoma

Office of Legal Counsel

660 Parrington Oval, Suite 213

Norman, Oklahoma 73109

Telephone: (405) 325-4124

Facsimile: (405) 325.7681

E-Mail: dan.weitman@ou.edu

*ATTORNEYS FOR PUTATIVE*

*DEFENDANT BOARD OF REGENTS FOR*

*THE UNIVERSITY OF OKLAHOMA, AND*

*FOR DEFENDANTS MICHAEL CAWLEY,*

*FRANK KEATING, PHIL ALBERT,*

*NATALIE SHIRLEY, ERIC STEVENSON,*

*ANITA HOLLOWAY AND RICK NAGEL*